



09/665,231

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: WOOLFORD ET AL. Examiner: F. LAGMAN
Serial No.: 09/665,231 Group Art Unit: 3673
Filed: SEPTEMBER 18, 2000 Docket No.: 3616.20USC5
Title: COMPOSITE MASONRY BLOCK

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CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL830123393US

Date of Deposit: June 14, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By:

Omish Singh

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TERMINAL DISCLAIMER TO OBVIATE
AN OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Petitioner, Anchor Wall Systems, Inc., a corporation organized and existing under the laws of the State of Minnesota and having its primary place of business at 5959 Baker Road, Suite 390, Minnetonka, Minnesota 55345, in the county of Hennepin, and the state of Minnesota, represents that it is the exclusive owner of the entire right, title and interest in the above-identified application, by virtue of an assignment recorded at Reel 5326, Frame(s) 414 on June 7, 1990. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent 6,142,713, by virtue of an assignment recorded at Reel 5326, Frame(s) 414 on June 7, 1990. Anchor Wall Systems, Inc. is the successor in interest to Block Systems Inc. as reflected by the Amendment of Articles of Incorporation recorded on August 13, 1998 at Reel 9407, frame(s) 0251.

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Petitioner, Anchor Wall Systems, Inc., hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified U.S. Patent Application No. 09/665,231 which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,142,713. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,142,713, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of U. S. Patent No. 6,142,713, in the event that U. S. Patent No. 6,142,713: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above. ✓

The undersigned (Applicant's representative) is empowered to act on behalf of Anchor Wall Systems, Inc.

Applicants disagree with the Examiner's conclusions of obviousness, but are nonetheless filing this terminal disclaimer in order to expedite allowance of this application in view of potential infringers in the market.

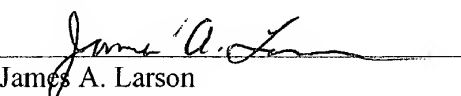
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612/332-5300

Date: June 14, 2001


James A. Larson
Reg. No. 40,443

THE STATEMENT BELOW IS FOR OFFICE USE ONLY

In accordance with the decision granting the petition filed on _____, 20____,
this terminal disclaimer is accepted. The period of patent lapse specified above has been
accepted as equivalent to _____ months.

Petitions Examiner